

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America
v.
NICOLAS ULLOA DOB (XX/XX/1996)

Case No. 21 MJ 14

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7, 2021 in the county of Milwaukee in the
Eastern District of Wisconsin, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code,
Sections 2113(a), 2113(b), and 2.

See attached affidavit

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.



Complainant's signature

FBI SA Daniel Gartland

Printed name and title

Sworn via telephone; transmitted via email
pursuant to Fed. R. Crim. 4.1

Date: 01/08/2021



Judge's signature

City and state: Milwaukee, Wisconsin

Honorable William E. Callahan, Jr.

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Daniel Gartland, being first duly sworn on oath, on information and belief state:

I. INTRODUCTION, BACKGROUND, TRAINING, AND EXPERIENCE

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since May 2018. Since October 2018, I have been assigned to the FBI's Milwaukee Area Violent Crimes Task Force. This Task Force is a multi-jurisdictional law enforcement entity charged with investigating violations of federal law, including bank robberies, commercial robberies and other violent crime matters, defined under Title 18 of the United States Code. I have been trained in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. I have assisted in criminal investigations, participating in analysis of telephone records, surveillance, interviews, and debriefs of arrested subjects. As a result of this training and investigative experience, I have learned how and why violent actors typically conduct various aspects of their criminal activities.

2. Based on the investigation to date, I believe there is probable cause that NICOLAS ULLOA (DOB XX/XX/1996) conspired with at least one other person to commit and committed the bank burglary and bank theft at BMO Harris Bank, 7501 West North Avenue, Wauwatosa, Wisconsin on January 7, 2021, in violation of Title 18, United States Code, Sections 2113(a), 2113(b), and 2.

3. This affidavit is based upon my personal knowledge, training, and experience, and on information reported to me by other federal, state, and local law enforcement officers during the course of their official duties, all of whom I believe to be truthful and reliable. This affidavit is also based upon police reports, official records, citizen witness statements, business records, search warrants, recorded statements, surveillance video, text messages, court records, and telephone records, which I consider to be reliable as set forth herein.

4. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have attempted to set forth only the facts that I believe are pertinent to establishing the necessary foundation for the complaint and corresponding arrest warrant.

II. PROBABLE CAUSE

5. On or about November 2, 2020, your affiant learned that the FBI in Texas had identified a large groups of individuals, mostly based out of Houston, Texas, that had been committing bank burglaries and bank thefts across the country. The group's modus operandi included the use of stolen vehicles, generally pickup trucks, configured with hooks and chains to force open bank ATM's and steal money from the safe contained within the ATM. To date, law enforcement in various states are aware of over 800 incidents that have occurred since September 24, 2018, involving similar modus operandi, over 500 of the incidents occurred in Houston, Texas, and the surrounding area. I am aware of the following incident in the State and Eastern District of Wisconsin that involves the same or similar modus operandi.

6. On January 7, 2021, at approximately 4:43 a.m., two unidentified male subjects (UNSUBS-W) attempted a burglary of the BMO Harris Bank, 7501 West North Avenue, Wauwatosa, WI, 53213. UNSUBS-W approached the drive-up ATM in a stolen white 1999 Ford F250 truck, bearing Wisconsin registration plate PX9426 (hereinafter, "F250"). The truck was reported stolen from Milwaukee, Wisconsin, on January 7, 2021. Two UNSUBS-W exited the F250 and used tools to pry open the access door to the ATM. UNSUBS-W then hooked chains to the ATM vault. F250 accelerated away from the ATM, which dislodged the ATM vault door. UNSUBS-W removed cassettes from the ATM and fled in the F250 with approximately \$8,380.

7. In the Wauwatosa, Wisconsin, incident, the first UNSUB-W (UNSUB #1-W) was observed on surveillance video wearing a dark gray hooded sweatshirt with the hood up, black or

gray pants, and dark colored gloves. UNSUB#1-W approached the ATM as the F250 positioned itself perpendicular to the ATM. UNSUB-W (UNSUB #2-W) was observed on surveillance video wearing a dark gray hooded sweatshirt with the hood up, black or gray pants and gray or white gloves. UNSUB #2-W exited the driver seat of the F250 after positioning it perpendicular to the ATM.

8. The Wauwatosa Police Department (WPD) responded to the burglary. At approximately 4:48 a.m., WPD officers pursued the F250, which crashed into a tree at 2238 North 73rd Street, Wauwatosa, approximately two minutes later. Occupants of the vehicle fled on foot, leaving U.S. currency in the vehicle. The driver fled west in the direction back towards the bank. NICOLAS ULLOA of Houston, Texas, (DOB XX/XX/1996) was taken into custody, west of the location of the F250 crash, between 7501 West North Avenue, the address of the bank, and 7442 Watson Avenue, Wauwatosa, WI, 53213. U.S. currency was recovered near ULLOA'S arrest location. The passenger fled east through the yards of homes on Watson Avenue and evaded WPD officers.

9. A white Chrysler Pacifica (hereinafter, "Pacifica") with unknown rear registration plate and no front plate, was observed on Milwaukee County Transit Authority bus surveillance video traveling in close proximity to the F250 at 4:40 a.m., three minutes prior to the ATM burglary. The Pacifica was observed on WPD squad car video traveling and making turns in conjunction with the F250 during the pursuit. After a pursuit of the Pacifica, which involved speeds in excess of 100 miles per hour, the Pacifica eluded police in the area of North 88th Street and West Burleigh Street in Milwaukee.

10. ULLOA was arrested on November 27, 2019, by the Houston Police Department in relation to the burglary of an ATM in Houston, Texas. The burglary involved a similar modus

operandi to the incident in Wauwatosa. ULLOA was released from custody in Houston, Texas, on a \$60,000 cash bond at the time of his arrest in Wauwatosa, WI.

11. WPD obtained a warrant in the State of Wisconsin to search the F250. Officers seized a black Samsung Galaxy cellular telephone during the search.

12. WPD obtained a warrant in the State of Wisconsin to search the Samsung Galaxy cellular telephone seized from the F250. A forensic analysis of the cellular telephone revealed the telephone number associated with the device to be **832-740-7744** (hereinafter, “Telephone 7744”). Further analysis revealed a screenshot for the google location information for “ATM (BMO Harris Bank),” including the address 7501 West North Avenue, Wauwatosa, WI, 53213. The phone also contained multiple screenshots of bank ATM google location information in the State of Ohio.

13. Call logs obtained from the forensic analysis of Telephone 7744 reveal it called the cellular telephone number 346-616-3354 (hereinafter, “Telephone 3354”) at 3:55 a.m. on January 7, 2021. At 3:59 a.m. that same day, Telephone 3354 called Telephone 7744. The duration of the call lasted approximately 22 minutes. The telephones also exchanged calls at 4:22 a.m. and 4:24 a.m. The ATM burglary in Wauwatosa occurred at approximately 4:43 a.m. At 4:54 a.m., Telephone 3354 called Telephone 7744, and the call was listed as a “missed call” on Telephone 7744.

14. The records reflect that Telephone 7744’s user, believed to be ULLOA, began using Telephone 7744 on or around December 9, 2020. Since that time, the forensic analysis of Telephone 7744 reflected only three other occasions in which Telephone 7744 engaged in calls between the hours of 2:00 a.m. and 5:00 a.m. On December 14, 2020, and December 19, 2020, between 2:00 a.m. and 5:00 a.m., Telephone 7744 engaged in multiple calls. On January 3, 2021, the day before, Telephone 7744 captured the screenshots of ATM bank locations in Ohio, Telephone 7744 and Telephone 3354 were in contact between 2:00 a.m. and 5:00 a.m. Based on

the use of multiple vehicles and multiple actors throughout the incident, investigators believe the telephone activity was reflective of subjects communicating prior to, during, and after bank burglary incidents.

15. Instant messages obtained from forensic analysis of Telephone 7744 reveal it sent three messages to Telephone 3354 on January 4, 2020. The messages contained screen shots of google location information for ATMs located in Columbus, Ohio. Telephone 7744 also sent and received messages from telephone number 832-202-5149 (hereinafter, "Telephone 5149"). In one such message, the user of Telephone 5149 referred to the user of Telephone 7744 as "brother." While in custody at WPD, ULLOA provided Telephone 5149 as belonging to his sister, Lucille Ulloa, which would further reflect ULLOA's use of Telephone 7744. Law enforcement databases identify the user of Telephone 5149 as Lucia Ulloa of Crosby, Texas.

16. During a mirandized interview, ULLOA admitted to driving the F250 to the BMO Harris Bank, 7501 West North Avenue, in Wauwatosa, with the intention of burglarizing the drive-up ATM. ULLOA further admitted to taking money from the ATM and fleeing in the F250 and on foot.

III. CONCLUSION

17. Based on the investigation to date, I believe there is probable cause to believe that NICOLAS ULLOA (DOB XX/XX/1996) conspired with at least one other person to commit and committed the bank burglary and bank theft at BMO Harris Bank, 7501 West North Avenue, Wauwatosa, Wisconsin, on January 7, 2021, in violation of Title 18, United States Code, Sections 2113(a), 2113(b), and 2.